

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Z.A., an Infant, by and through his Parents and Natural
Guardians, CARMIT ARCHIBALD and GEORGES
ARCHIBALD, and CARMIT ARCHIBALD,
Individually,

Case No. 1:24-cv-03742-VSB

Plaintiff(s),

-against-

HYATT CORPORATION,

Defendant(s).

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AFFIRMATION IN SUPPORT OF REQUEST FOR CERTIFICATE OF DEFAULT

Evan M. Goldberg, an attorney duly admitted to practice in this court, hereby affirms that the following statements are true and accurate to best of my knowledge, information and belief under the penalty of perjury:

1. I am the principal of the law office of Evan Miles Goldberg PLLC, and the attorney of record for the plaintiffs in this action. As such, I am familiar with the facts and circumstances of this action.
2. This action commenced on April 09, 2024, with the filing of the Summons and Verified Complaint in the Supreme Court of the State of New York, County of New York, Index No. 153296/2024. *See* ECF No. 1-1.
3. On April 15, 2024, defendant Hyatt Corporation was served with the Summons and Verified Complaint via the New York State Secretary of State pursuant to Fed. R. Civ. P. 4 and N.Y. Bus. Corp. Law § 306. Process server Victoria Nelson delivered two copies to Sue Zouky, an authorized agent at the Secretary of State's office, and paid the required fee. The documents were endorsed with the index number and date of filing, and proof of service was

filed on April 17, 2024 in the Supreme Court of the State of New York, County of New York, Index No. 153296/2024. Annexed hereto as Exhibit A is the Affidavit of Service.

4. Defendant Hyatt Corporation, having appeared in this action, filed its Notice of Removal to this Court based on diversity of jurisdiction on May 15, 2024. *See* ECF Nos. 1 and 1-1. *See also* ECF No. 5.

5. The time for defendant Hyatt Corporation to answer, move, defend, or otherwise defend against Plaintiffs' Complaint in this action has expired and has not been extended.

6. Defendant Hyatt Corporation is not an infant or incompetent and is not presently in the military service of the United States.

WHEREFORE, Plaintiffs respectfully request that the default of defendant Hyatt Corporation be noted, and a certificate of default issued.

Dated: New York, NY
June 20, 2024

Respectfully submitted,

By: /s/ Evan M. Goldberg
Evan M. Goldberg, Esq.
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Attorneys for Plaintiffs Z.A. et al.

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2024, I electronically filed the foregoing with the Clerk of the United States District Court for the Southern District of New York using the CM/ECF system, which sent notification of such filing to the following attorney(s) appearing on behalf of the defendant Hyatt Corporation:

Amneet Mand, Esq.
Lewis Brisbois Bisgaard & Smith LLP
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Amneet.mand@lewisbrisbois.com

/s/ Evan M. Goldberg
Evan M. Goldberg